UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

ARTHUR D'AMARIO III

v. C.A. No. 7-316S

TROY LEVI

DECLARATION

I, Arthur D'Amario III, declare and say that:

1. After this action was transferred from Pennsylvania to Rhode Island, I was never informed of the new docket number. On various dates in 2007 and 2008, I wrote letters to the Clerk asking for the docket number, the name of the judge assigned, and status of the case. I never received a reply.

2. I never knew the case was assigned to Judge Young and dismissed 11/27/07.

3. On July 3, 2008, the MA Attorney General served me with court papers out of Taunton Superior Court (No. BRCV2007-01667). Attached to the State's motion to dismiss was a copy of Judge Young's 11/27/07 order dismissing this action. That was the first I'd heard of it.

4. Based on other strange occurences, I believe the clerk's failure to notify me of the decision, and refusal to answer my letters, was deliberate and intended to cause me to miss the deadline for claiming an appeal. I believe the clerk is being influenced against me by CUSPO Barry J. Weiner and AFPD Ed Roy.

5. If this motion is granted, I will immediately appeal the judgment to the Circuit.

I declare under penalty of perjury that the foregoing is true.

EXECUTED ON: July 7, 2008

Arthur D'Amario III